

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

United States of America,

Plaintiff(s),

BROOKLYN OFFICE

v.

Case No. 2:11-mj-30365-JU

Salem Alshdaifat,

EDNY 11cr340(ERK)

Defendant(s).

**NOTICE OF TRANSFER PURSUANT TO RULE 5(c)(3)(E)
OF THE FEDERAL RULES OF CRIMINAL PROCEDURE**

TO: U.S. DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Enclosed are certified copies of the Order returning this case to your Court pursuant to Fed. R. Crim P. 5(c)(3)(E) and the docket sheet. The case record is electronic and can be viewed at our Court's Intranet website via the J-Net.

Please acknowledge receipt of this record by returning a time-stamped copy of this notice to:

Clerk's Office
U.S. District Court for the Eastern District of Michigan
231 W. Lafayette Blvd., 5th Floor
Detroit, MI
48226
(313) 234-5005

Certification

I hereby certify that this Notice was electronically filed, and the parties and/or counsel of record were served.

DAVID J. WEAVER, CLERK OF COURT

By: s/ D. Worth
Deputy Clerk

Dated: July 18, 2011

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff(s),

v.

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Salem Alshdaifat,

EDNY 11cr340(ERK)

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Dated: July 18, 2011

U.S. District Court
Eastern District of Michigan (Detroit)
CRIMINAL DOCKET FOR CASE #: 2:11-mj-30365-JU All Defendants
Internal Use Only

Case title: United States of America v. Alshdaifat
Other court case number: CR 11 340 USDC - Eastern
District of New York

Date Filed: 07/13/2011

Assigned to: Honorable Unassigned

Defendant (1)

Salem Alshdaifat

represented by **Christopher A. Andreoff**
Jaffe, Raitt,
27777 Franklin Road
Suite 2500
Southfield, MI 48034-8214
248-351-3000
Email: candreoff@jafferaitt.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

I hereby certify that the foregoing is
a true copy of the original on file in this **Disposition**
Office.

Terminated Counts

None

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

Highest Offense Level (Terminated)

None

By Dwene W. Woods
Deputy Clerk
Dated 7-18-11

Complaints

Rule 5(c)(3) from Eastern New York

Disposition

Plaintiff

United States of America

represented by **Sara D. Woodward**
United States Attorney's Office, Eastern

District of Mi
 General Crimes
 211 W. Fort
 Ste 2001
 Detroit, MI 48226
 (313) 226-9180
 Fax: 313-226-2372
 Email: sara.woodward@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: U.S. Attorney

| Date Filed | # | Docket Text |
|------------|-----------|--|
| 07/13/2011 | <u>1</u> | PETITION for Transfer under Rule 5(c)(3) by United States of America as to Salem Alshdaifat (1). (MLan) (Entered: 07/14/2011) |
| 07/13/2011 | <u>2</u> | Minute Entry for proceedings held before Magistrate Judge R. Steven Whalen: Initial Appearance in Rule 5(c)(3)/Rule 40 Proceedings as to Salem Alshdaifat held on 7/13/2011. Detention Hearing and Removal Hearing set for 7/14/2011 01:00 PM (Tape #: RSW 7/13/11) (Defendant Attorney: Christopher Andreoff) (AUSA: Sara Woodward) (MLan) (Entered: 07/14/2011) |
| 07/13/2011 | <u>3</u> | NOTICE OF ATTORNEY APPEARANCE: Christopher A. Andreoff appearing for Salem Alshdaifat. (DWor) (Entered: 07/15/2011) |
| 07/14/2011 | <u>4</u> | ORDER scheduling a Detention Hearing as to Salem Alshdaifat. Signed by Magistrate Judge R. Steven Whalen. (DWor) (Entered: 07/15/2011) |
| 07/14/2011 | <u>5</u> | Minute Entry for proceedings held before Magistrate Judge R. Steven Whalen: Removal Hearing not held on 7/14/2011. Disposition: Defendant waives removal hearing. (Tape #: RSW 7/14/11) (Defendant Attorney: Christopher Andreoff) (AUSA: Sara Woodward) (MLan) (Entered: 07/15/2011) |
| 07/14/2011 | <u>6</u> | Minute Entry for proceedings held before Magistrate Judge R. Steven Whalen: Detention Hearing as to Salem Alshdaifat held on 7/14/2011 and (Continued to 7/15/2011 01:00 PM) (Tape #: RSW 7/14/11) (Defendant Attorney: Christopher Andreoff) (AUSA: Sara Woodward) (MLan) (Entered: 07/15/2011) |
| 07/14/2011 | <u>11</u> | WAIVER of Rule 5 Hearings by Salem Alshdaifat. (DWor) (Entered: 07/18/2011) |
| 07/15/2011 | <u>7</u> | SUPPLEMENTAL BRIEF re <u>3</u> Order by United States of America as to Salem Alshdaifat (Attachments: # <u>1</u> Exhibit A -- Canadian Charter of Rights and Freedoms, # <u>2</u> Exhibit Immigration and Refugee Protection Act, # <u>3</u> Exhibit July 14 ICE Press Release) (Woodward, Sara) (Entered: 07/15/2011) |
| 07/15/2011 | <u>8</u> | SUPPLEMENTAL BRIEF re <u>3</u> Order by Salem Alshdaifat (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 1 - CBSA website posting, # <u>3</u> Exhibit 2 - |

| | | |
|------------|--------------------|---|
| | | CPI overview, # <u>4</u> Exhibit 3 - CBSA confirmation, # <u>5</u> Exhibit 4 - U.S. Customs-Border Protection Manual excerpt, # <u>6</u> Exhibit 5 - Docket Sheet/Complaint (New York case), # <u>7</u> Exhibit 6 - Release Order, # <u>8</u> Exhibit 7 - Release Order) (Andreoff, Christopher) (Entered: 07/15/2011) |
| 07/15/2011 | <u>●</u> <u>7</u> | Minute Entry for proceedings held before Magistrate Judge R. Steven Whalen: Detention Hearing as to Salem Alshdaifat held on 7/15/2011 Disposition: Bond set in the amount of \$100,000 unsecured. Bond stayed until 7/18/2011 at 5:00 p.m. pending appeal to U.S. District Court in the Eastern District of New York. (Tape #: RSW 7/15/11) (Defendant Attorney: Christopher Andreoff) (AUSA: Sara Woodward) (MLan) (Entered: 07/15/2011) |
| 07/15/2011 | <u>●</u> <u>8</u> | ORDER Setting Conditions of Release as to Salem Alshdaifat. Signed by Magistrate Judge R. Steven Whalen. (DWor) (Entered: 07/18/2011) |
| 07/15/2011 | <u>●</u> <u>9</u> | Bond as to Salem Alshdaifat in the amount of \$100,000.00 Unsecured entered. (DWor) (Entered: 07/18/2011) |
| 07/15/2011 | <u>●</u> <u>10</u> | AGREEMENT to Assume Custody of the Defendant as to Salem Alshdaifat. (DWor) (Entered: 07/18/2011) |
| 07/18/2011 | <u>●</u> <u>6</u> | TRANSCRIPT of Detention Hearing held on 07/14/2011 as to Salem Alshdaifat. (Court Reporter/Transcriber: Marie Metcalf) (Number of Pages: 56) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/8/2011. Redacted Transcript Deadline set for 8/18/2011. Release of Transcript Restriction set for 10/17/2011. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Metcalf, M) (Entered: 07/18/2011) |
| 07/18/2011 | <u>●</u> <u>7</u> | TRANSCRIPT of Detention Hearing - Conclusion held on 07/15/2011 as to Salem Alshdaifat. (Court Reporter/Transcriber: Marie Metcalf) (Number of Pages: 34) The parties have 21 days to file with the court and Court Reporter/Transcriber a Redaction Request of this transcript. If no request is filed, the transcript may be made remotely electronically available to the public without redaction after 90 days. Redaction Request due 8/8/2011. Redacted Transcript Deadline set for 8/18/2011. Release of Transcript Restriction set for 10/17/2011. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Metcalf, M) (Entered: 07/18/2011) |
| 07/18/2011 | <u>●</u> <u>12</u> | NOTICE transferring case to *EASTERN DISTRICT OF NEW YORK* as to Salem Alshdaifat. (DWor) (Entered: 07/18/2011) |

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
JUL 14 2011
CLERK'S OFFICE
DETROIT

UNITED STATES OF AMERICA,

Plaintiff

**WAIVER OF RULE 5 AND 5.1 HEARINGS
(Excluding Probation Violation Cases)**

v.

Case No. 11-30365
Originating No

11-340

SALEM ALSHDAIFAT,

Defendant.

I understand that in the Eastern District of New York, charges are pending alleging violation of **Conspiracy to Smuggle Goods Into the United States**, and **False Statements** and that I have been arrested in this District and taken before a United States Magistrate Judge who informed me of my right to:

1. Retain counsel or request the assignment of counsel if I am unable to afford one.
2. Request transfer of the proceedings to this district pursuant to Fed. R. 20, in order to plead guilty.
3. Have an identity hearing to determine if I am the person named in the charge.
4. Have a preliminary examination (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me; the hearing to be held either in this district or the district of prosecution.

I hereby certify that the foregoing is a true copy of the original on file in this Office.

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

By Durene Woods
Deputy Clerk

Dated 7-18-11

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

identity hearing
 preliminary examination
 identity hearing and have been informed I have no right to a preliminary hearing
 identity hearing but request a preliminary hearing to be held in the district of prosecution

and therefore consent to the issuance of an order requiring my appearance in the prosecuting district where the charges is pending against me.

Signature
Defendant

SALEM ALSIDAIFAT

Date: 7/14/11

Christopher Andrew
Counsel for Defendant

Date: 7/14/11